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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/755,978	01/05/2001	Martin Roos	4484 US	4757

7590

05/08/2002

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EXAMINER

HO, THOMAS Y

ART UNIT

PAPER NUMBER

3677

DATE MAILED: 05/08/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/755,978

Applicant(s)

ROOS, MARTIN

Examiner

Thomas Y Ho

Art Unit

3677

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 January 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Specification*

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

The abstract of the disclosure is objected to because the length exceeds 150 words.

Correction is required. See MPEP § 608.01(b).

### *Claim Objections*

Claims 1, 2, and 8 are objected to because of the following informalities:

As to claim 1, applicant recites the phrases "having an outside door handle, connecting elements (22, 24, 28), the door lock", and "the door lock (14), driver elements (40, 42)" are of improper grammatical construction. These parts of the claim should be corrected to -having an outside door handle, and connecting elements (22, 24, 28), and the door lock-, and -the door lock (14), and driver elements (40, 42)-.

As to claim 2, applicant recites the phrase "for said two door handles separate said connecting elements". Proper grammatical construction requires the claim to be corrected to -for said two handles, separate said connecting elements-.

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As to claim 8, applicant recites the phrase "the driver elements (40, 42), Bowden-cable sheaths". Proper grammatical construction requires the claim to be corrected to -the driver elements (40, 42), and Bowden-cable sheaths-.

Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 1, the phrase "in particular" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

As to claim 5, applicant recites "wherein the driver elements (40, 42) are uncoupled from the connecting member (28) to the latching device (16) such that driving only takes place in a direction of movement relative to one another." It is unclear which parts are being referred to as "to one another", either the connecting member and the latching device, or the driver elements and the connecting member, or the driver elements and the latching device. For the purposes of examination, the parts moving relative to one another are understood to be the driver elements (40, 42) and the connecting member (28).

As to claim 10, applicant recites the word "essentially". The proper term in this situation is -substantially- and the wording should be changed accordingly.

Claims 2-4, and 6-9 depend from rejected claims and likewise are rejected.

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Mitsui et al. (GB 2295642 A).

As to claim 1, Mitsui et al. discloses a door lock apparatus having:

a) a door lock (9), a latching device (8) which can be arrested in a positive-locking manner and is for holding the sliding door in its open position, and an inside door operating means (65) having an inside door handle, and an outside door operating means (5) having an outside door handle, and connecting elements (63, 66, 78), and the door lock (9) and the latching device (8) being able to be operated mechanically by the door handles (5, 65) via said connecting elements (63, 66, 78), and logical functions for locking/unlocking the sliding door realized in the door lock (9), and driver elements (63, 66), and wherein the connecting elements (63, 66) between the two door handles (5, 65) and the door lock (9) have said driver elements (63, 66) which act via a driven element (61) on connecting element (78) connected to the latching device (8).

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As to claim 2, Mitsui et al. discloses a door lock apparatus wherein:

b) at least for said two door handles (5, 65), separate said connecting elements (63, 66) and driver elements (63, 66) are provided, the latter interacting with a single said driven element (61).

As to claim 3, Mitsui et al. discloses a door lock apparatus wherein:

c) the driver elements (63, 66) lie directly next to one another and said connecting elements (63, 66) from the door handles (5, 65) run parallel to one another at least in this region.

As to claim 4, Mitsui et al. discloses a door lock apparatus wherein:

d) the driver elements (63, 66) act on a reversing lever (69) on which the connecting element (78) to the latching device (8) is secured.

As to claim 5, Mitsui et al. discloses a door lock apparatus wherein:

e) the driver elements (63, 66) are uncoupled from the connecting element (8) to the latching device (8) such that driving only takes a place in a direction of movement relative to one another.

As to claim 6, Mitsui et al. discloses a door lock apparatus wherein:

f) uncoupled driving takes place by simple bearing of said driver elements (63, 66) against a driving surface (61) on reversing lever (61).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mitsui et al. (GB 2295642 A) in view of Wegner (U.S. Pat. No. 6,116,664).

As to claim 7, Mitsui et al. discloses a door lock apparatus using rods as connecting members, but fails to disclose or suggest the following limitations:

g) wherein the connecting elements are at least partially formed as Bowden cables.

Wegner discloses a vehicle door lock having Bowden cables (1.16, 1.17) as connecting members (Col.3, Ln.32-38), while also disclosing the use of "Bowden cables, rods, or the like" (Col.5, Ln.15-18) for the same purpose. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the rod connecting members disclosed by Mitsui et al. to be Bowden cables as taught by Wegner because they are recognized in the art as being equivalents for use as connecting members.

As to claim 8, Mitsui et al. discloses a door lock apparatus, but fails to disclose or suggest the following limitations:

h) wherein said Bowden cables of the connecting elements from the door handles are continuous in a region of the driver elements, and Bowden-cable sheaths being omitted in this region.

Wegner discloses a vehicle door lock having Bowden cables (1.16, 1.17) as connecting members (Col.3, Ln.32-38), while also disclosing the use of "Bowden cables, rods, or the like" (Col.5, Ln.15-18) for the same purpose. Wegner also discloses a design where the Bowden cable sheaths end before the region where the Bowden cables are connected to the moving members. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the rod connecting members disclosed by Mitsui et al. to be Bowden cables as taught by Wegner because they are recognized in the art as being equivalents for use as connecting members. Furthermore, it would have been obvious to omit the Bowden cable sheaths in the interior region of the operation mechanism to minimize the space taken up by the cables.

*Allowable Subject Matter*

Claims 9 and 10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form, and if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.



*Conclusion*

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Pat. No.6017067 to Yoneyama et al. discloses a latch device for a vehicle having three connecting members, and a reversing lever.

U.S. Pat. No.5857386 to Ruhlman discloses a pivot-arm overtravel having a housing, Bowden cables, and Bowden cable sheaths ending on the outside the housing.

U.S. Pat. No.5131288 to Barlas discloses a remote actuator for a brake utilizing Bowden cables connected to a member.

U.S. Pat. No.5697236 to Kleefeldt et al. discloses a vehicle door latch wherein two parallel mounted connecting members actuate a lever.

U.S. Pat. No.6032987 to Fukumoto et al. discloses a sliding door locking device comprising multiple connecting rods and multiple levers.

U.S. Pat. No.6305238 to Gabas discloses a connecting unit for the transmission of pulling movements to one end of at least one Bowden cable, and omits the Bowden cable sheath in the interior part of the mechanism.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas Y. Ho whose email address is [thomas.ho@uspto.gov](mailto:thomas.ho@uspto.gov) and telephone number is (703) 305-4556. The examiner can normally be reached on M-F 8:30AM-5:00PM.

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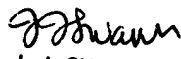
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J.J. Swann can be reached on (703) 306-4115. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-3691.

TYH

May 2, 2002

  
J. J. SWANN  
SUPERVISORY PATENT EXAMINER  
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